

**From:** Troy Davis  
**To:** Microsoft ATR  
**Date:** 12/10/01 3:40pm  
**Subject:** Microsoft Settlement

To Whom it May Concern,

I've read reports of the proposed settlement of the Microsoft anti-trust case with great skepticism, and today I have found that my skepticism was well-deserved.

The executives at Microsoft are no doubt very intelligent people. Having completely dominated the market for operating systems, office applications and now web browsers, it appears that Microsoft is planning to use the DOJ's proposed settlement to put a stake in the heart of its only remaining competitor: the open source community.

Under Section III(J)(2), Microsoft will be permitted to withhold crucial APIs and documentation from any non-profit organization. This will effectively kill open source projects like Samba - a non-profit, publicly-built replacement for Microsoft's file server software.

Section III(D) specifies that Microsoft must supply APIs to ISVs, IHVs, IAPs, ICPs and OEMs, but these are defined in the footnotes as only commercial entities. Under this proposed settlement, Microsoft will have successfully beaten back the only entity strong enough to compete with it.

I thought Microsoft was found guilty of abusing its monopoly power? How is this proposed settlement going to prevent further abuse?

This settlement isn't punishment for Microsoft's abuse of power, it's a reward. I smell lobbyists and campaign contributions.

Stop trying to give away the entire computer software industry to Microsoft, the company's cut-throat greed needs no encouragement.

I highly recommend reading Robert X. Cringely's article on this topic: <http://www.pbs.org/cringely/pulpit/pulpit20011206.html>

Sincerely,  
Troy Davis

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